

CLASSIFICATION OFFICE DECISION

Title of publication: a64846076f257ffc3f48dedb5700c3eaf15303e0

Other known title(s): Not stated

OFLC ref: 2000108.032

Medium: Image File

Maker: Not stated

Country of origin: Not stated

Language: English

Applicant: The District Court at Auckland

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 20 April 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

Summary of reasons for decision:

The image depicts a subject whose gender and age are indeterminate, however the title visible at the top of the image invites the viewer to regard them as a nine-year-old girl and there is nothing about the image that suggests that this reading is unreasonable. The most likely purpose of this image is the sexual titillation of adults with a prurient interest in young girls and therefore this image at least tends to promote or support the exploitation of children for sexual purposes and is deemed to be objectionable under s 3(2)(a) of the Films, Videos, and Publications Classification Act 1993. The image is intended for the titillation and arousal of adults with a sexual interest in children. This classification interferes with the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990, however it is consistent with Parliament's intention that publications that promote and support s3(2) criteria are deemed objectionable. The classification also reflects the concern of New Zealand society to protect its young and vulnerable members from sexual exploitation.